

REMARKS

An Office Action was mailed on April 30, 2003. Claims 1-17 are pending in the present application.

CHANGE OF CORRESPONDENCE INFORMATION

Applicant is submitting herewith a Change of Correspondence form. All future correspondence in this matter should be directed to Customer Number 026304. The attorney docket number has also changed to **GRAT 18.981 (100717-10035)**, and it is respectfully requested that the Examiner update such information in the PALM system.

OATH/DECLARATION

The Examiner asserts that the oath or declaration is defective because it is not clear if priority is claimed or not. This was an inadvertent omission as it is clear that this §371 application claims priority from German Application 10010248.4 filed March 2, 2002, a certified copy of which was forwarded by WIPO and acknowledged by the Examiner. **Applicant claims priority under 35 U.S.C. §119 from German Application 10010248.4 filed March 2, 2002.** Applicant's representative will forward a new oath/declaration upon receipt of the same from the inventors.

DRAWINGS

The Examiner has objected to the drawings because they fail to specifically show the "axial width and length features" from claim 10. Applicant has canceled claim 10, thus rendering the drawing objection moot.

OBJECTION TO THE CLAIMS

Claims 16 and 17 are objected to because they fail to further limit the structure of the claimed generator unit. Applicant has canceled claims 16 and 17, thus rendering the claim objections moot.

REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1-15 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Responsive thereto, Applicant has amended the claims to overcome such rejections.

A rotor winding (Ankerwicklung in the original German document) in the stator may alternatively be translated as "armature coil" or "armature winding. In this regard, the application discusses a winding in the stator, which is of the three-phase current type. In the specification, a rotor winding in the stator is disclosed and described as a "rotary current winding (28)," which the Applicant can use in place of a "rotor winding" if preferred by the Examiner.

The "pole regions" as set forth in amended claim 1 are best shown in FIG. 2. In FIG. 2, the rotor (29) is provided with two "pole regions" with permanent magnets (35) in diagonally opposite positions. Amended claim 1 and FIG. 4 clearly define the pole regions in accordance with the following claim elements:

wherein holder pockets that are open in the axial direction at least on one side are formed in the pole regions of the rotor, said holder pockets border on the air gap formed with the stator with a cylindrical circumference wall, and wherein the permanent magnets of the pole regions are each formed by a plurality of magnet elements, which are arranged next to one another within the holder pockets in the circumference direction.

With respect to the arrangement of the rows set forth in claim 2, the Examiner is respectfully directed to the rows of magnet elements (35) arranged as shown in FIGS. 1 and 4. In the lower section of FIG. 1, gap (33) exists between (outer) rotor (29) and (inner) stator (11). Holder pockets (34) in the pole regions are shown in FIG. 4, wherein two magnet elements (35) are arranged in axial juxtaposition as shown in FIG. 1. There, the axial width of the rotor (29) corresponds to about twice the length of a magnet element (35), or in other words, the pocket (34) is filled in the axial direction with two magnet elements (35), each magnet element (35) having half of the axial length of the rotor (29). The Examiner is also respectfully directed to FIG. 2, the paragraph bridging pages 9 and 10 and the paragraph bridging pages 2 and 3 in the originally-filed specification. If the arrangement of the rows is still unclear to the Examiner,

then the Applicant respectfully requests the Examiner to suggest substitute language for the same.

Accordingly, it is respectfully requested that the Examiner withdraw the rejection under 35 U.S.C. § 112, second paragraph.

PRIOR ART REJECTIONS

Claims 1, 2 and 11-14 are rejected under 35 U.S.C. §102(b) as being anticipated by Kajiura et al. (U.S. Patent 5,955,807). Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kajiura et al. '807, while claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kajiura et al. '807 in view of Miyakawa (U.S. Patent 5,796,195). Finally, claims 5-10 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kajiura et al. '807 in view of Asano et al. (U.S. Patent 6,218,753).

However, Applicant respectfully submits that Kajiura et al. clearly differs in its basic construction from the claimed invention. The rotor 1200 of Kajiura et al. is arranged inside its stator 1100 and with Kajiura et al. there are no pole segments or pole regions respectively. The rotor 1200 of Kajiura et al. is of a **multiple-pole** arrangement comprising over its circumference a plurality of single magnet elements, **each one causing an alteration of magnetic polarity**. Contrary to the teaching of Kajiura et al., in the claimed invention there are only two pole areas, each comprising a plurality of magnet elements which are all of the same polarity. With this claimed arrangement of magnet elements, large pole zones can easily be realized as being composed by a plurality of said small magnet elements which are cheap in production and easy to handle. It is apparent that Kajiura et al. describes quite a different rotor arrangement which is characterized by a different magnetic flux picture which corresponds to the above-mentioned alternative pole arrangement.

Accordingly, Applicant respectfully disagrees with the Examiner that the claims (as amended) are taught by Kajiura et al. the cited art. The Manual For Patenting Examining Procedure (MPEP) § 2131 clearly sets forth the standard for rejecting a claim under 35 U.S.C. § 102(b). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (MPEP § 2131, quoting

Verdegaal Bros. v. Union Oil Co. of California 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). "The identical invention must be shown in as complete detail as is contained in the ...claim." (MPEP § 2131, quoting Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). "The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e. identity of terminology is not required." (MPEP § 2131, citing In re Bond, 15 USPQ2d 1566 (Fed. Cir. 1990)).

In this case, Kajiura et al. fails to teach the claimed invention as required by the MPEP for the reasons noted above. Specifically, Kajiura et al. fails to teach or reasonably suggest a power generator unit comprising a synchronous generator and a piston internal combustion engine as a drive, said generator having a rotor and a stator, said rotor provided with a pair of pole regions having permanent magnets arranged in the pole regions for the excitation of the generator, and a rotor winding in the stator, wherein holder pockets that are open in the axial direction at least on one side are formed in the pole regions of the rotor, said holder pockets bordering on an air gap formed with the stator with a cylindrical circumference wall, and wherein the permanent magnets of the pole regions are each formed by a plurality of magnet elements, which are arranged next to one another within the holder pockets in the circumferential direction, as claimed.


Accordingly, it is respectfully requested that the Examiner withdraw the rejection under 35 U.S.C. § 102(b).

It is also respectfully requested that the Examiner withdraw the rejections under 35 U.S.C. §103(a) through dependency, as all of the §103(a) rejections are directed to dependent claims and are based on Kajiura et al. as the primary §102 reference.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1-9, 11-15 and 18, consisting of independent claim 1 and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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